

### REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Applicant's arguments filed February 23, 2010 are mostly persuasive. The prior art of record does not disclose or make obvious an exercise machine comprising handles positioned on a first and second arm for a push exercise, which handles traverse a portion of a fixed path where the paths of the handles on the two arms intersect, and handles positioned on the first and second arms for a pull exercise, which handles traverse a portion of a fixed path where the paths of the handles on the two arms intersect.

In contrast to Applicant's arguments, the handles of *Webber*'334 can follow paths that intersect since the embodiment shown in Figs. 11 and 12 show the pivot axles 70 as being angled downwardly so that the arms 54D,E are angled outwardly to permit handles or pressing arms 60 to pivot in an outward to inward fashion. The handles of *Webber*'334 do not traverse fixed paths. The paths are variable, i.e. have free motion, since the pressing arms 60, to which the handles are distally attached, are pivotal relative to the arms 54. It would not be obvious to fix the path that the handles traverse, and doing so would render the prior art inoperative in its intended function.

Further in contrast to Applicant's arguments, the handles of *Jones*'089 also follow paths that intersect since the pivot axles for the arms are angled inwardly to cause the arms to pivot toward each other in a pressing exercise movement and the paths traversed by the handles would intersect. *Jones*'089 does not disclose or make obvious handles at two different locations, as argued, and the handles in both a push position and a pull position on each arm so that a user on the seat portion facing forward manipulates the handles in the push position on each arm to

perform a push-type exercise and a user on the seat portion facing backward manipulates the handles in the pull positions one each arm to perform a pull-type exercise.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VICTOR K. HWANG whose telephone number is (571) 272-4976. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LoAn H. Thanh can be reached on (571) 272-4966. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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